

By Glenn Rapp

H. B. No. 234

A BILL TO BE ENTITLED

AN ACT

relating to the membership of the Texas Water Commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 5.052(a) and (b), Water Code, are amended to read as follows:

(a) The commission is composed of nine [~~three~~] members who are appointed by the governor with the advice and consent of the senate.

(b) The governor shall appoint one member of the commission at large and one member from each commission district defined in Section 5.0521 of this code [~~make-the-appointments-in-such-a-manner that-each-member-is-from-a-different-section-of-the-state~~].

SECTION 2. Chapter 5, Water Code, is amended by adding Section 5.0521 to read as follows:

Sec. 5.0521. COMMISSION DISTRICTS. (a) The state is divided into eight commission districts.

(b) The First Commission District is composed of the counties of Bastrop, Bell, Blanco, Bosque, Brazos, Burleson, Burnet, Caldwell, Coryell, Falls, Fayette, Freestone, Grimes, Hamilton, Hays, Hill, Lampasas, Lee, Leon, Limestone, Llano, McLennan, Madison, Milam, Mills, Robertson, San Saba, Travis, Washington, and Williamson.

(c) The Second Commission District is composed of the counties of Armstrong, Bailey, Briscoe, Carson, Castro, Cochran,

1 Collingsworth, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd,
2 Garza, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley,
3 Hutchinson, King, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley,
4 Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman,
5 Swisher, Terry, Wheeler, and Yoakum.

6 (d) The Third Commission District is composed of the
7 counties of Andrews, Borden, Brewster, Coke, Concho, Crane,
8 Crockett, Culberson, Dawson, Ector, El Paso, Gaines, Glasscock,
9 Howard, Hudspeth, Irion, Jeff Davis, Kimble, Loving, McCulloch,
10 Martin, Mason, Menard, Midland, Pecos, Presidio, Reagan, Reeves,
11 Schleicher, Sterling, Sutton, Terrell, Tom Green, Upton, Ward, and
12 Winkler.

13 (e) The Fourth Commission District is composed of the
14 counties of Austin, Brazoria, Chambers, Colorado, Fort Bend,
15 Galveston, Hardin, Harris, Jefferson, Liberty, Matagorda,
16 Montgomery, Orange, Walker, Waller, and Wharton.

17 (f) The Fifth Commission District is composed of the
18 counties of Archer, Baylor, Brown, Callahan, Childress, Clay,
19 Coleman, Collin, Comanche, Cooke, Cottle, Dallas, Denton, Eastland,
20 Ellis, Erath, Fannin, Fisher, Foard, Grayson, Hardeman, Haskell,
21 Hood, Hunt, Jack, Johnson, Jones, Kaufman, Kent, Knox, Mitchell,
22 Montague, Navarro, Nolan, Palo Pinto, Parker, Rockwall, Runnels,
23 Scurry, Shackelford, Somervell, Stephens, Stonewall, Tarrant,
24 Taylor, Throckmorton, Wichita, Wilbarger, Wise, and Young.

25 (g) The Sixth Commission District is composed of the
26 counties of Atascosa, Bandera, Bexar, Comal, Dimmit, Edwards, Frio,
27 Gillespie, Guadalupe, Karnes, Kendall, Kerr, Kinney, La Salle,

1 Maverick, Medina, Real, Uvalde, Val Verde, Wilson, and Zavala.

2 (h) The Seventh Commission District is composed of the
3 counties of Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Delta,
4 Franklin, Gregg, Harrison, Henderson, Hopkins, Houston, Jasper,
5 Lamar, Marion, Morris, Nacogdoches, Newton, Panola, Polk, Rains,
6 Red River, Rusk, Sabine, San Augustine, San Jacinto, Shelby, Smith,
7 Titus, Trinity, Tyler, Upshur, Van Zandt, and Wood.

8 (i) The Eighth Commission District is composed of the
9 counties of Aransas, Bee, Brooks, Calhoun, Cameron, De Witt, Duval,
10 Goliad, Gonzales, Hidalgo, Jackson, Jim Hogg, Jim Wells, Kenedy,
11 Kleberg, Lavaca, Live Oak, McMullen, Nueces, Refugio, San Patricio,
12 Starr, Victoria, Webb, Willacy, and Zapata.

13 SECTION 3. Section 5.056(a), Water Code, is amended to read
14 as follows:

15 (a) The members of the commission hold office for staggered
16 terms of six years, with the terms [~~term~~] of three members [~~one~~
17 ~~member~~] expiring every two years. Each member holds office until
18 his successor is appointed and has qualified.

19 SECTION 4. Section 5.058(a), Water Code, is amended to read
20 as follows:

21 (a) The person appointed by the governor at large shall
22 serve as [~~designate-the~~] chairman of the commission. [~~He--shall~~
23 ~~serve--as--chairman--until--the--governor--designates--a--different~~
24 ~~chairman-~~]

25 SECTION 5. (a) This Act takes effect September 1, 1989.

26 (b) Not later than the 60th day after the effective date of
27 this Act, the governor shall appoint nine new members to the Texas

1 Water Commission as provided by Sections 5.052 and 5.0521, Water
2 Code. The terms of the three members appointed under prior law
3 expire as designated by the governor as the first three of the new
4 appointees qualify for office.

5 (c) The nine commissioners appointed under Subsection (b) of
6 this section shall serve for terms that expire as follows:

7 (1) terms of commissioners appointed from the First
8 Commission District, Second Commission District, and Third
9 Commission District expire February 1, 1991;

10 (2) terms of commissioners appointed from the Fourth
11 Commission District, Fifth Commission District, and Sixth
12 Commission District expire February 1, 1993; and

13 (3) terms of commissioners appointed from the Seventh
14 Commission District and Eighth Commission District and the term of
15 the commissioner appointed at large expire February 1, 1995.

16 (d) Successors to the commissioners appointed under this
17 section serve for full six-year terms.

18 SECTION 6. The importance of this legislation and the
19 crowded condition of the calendars in both houses create an
20 emergency and an imperative public necessity that the
21 constitutional rule requiring bills to be read on three several
22 days in each house be suspended, and this rule is hereby suspended.

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DEC 19 1988

1. Filed with the Chief Clerk.

JAN 26 1989

2. Read first time and Referred to Committee on

Natural Resources

3. Reported favorably (as amended)
(as substituted) and sent to Printer at

4. Printed and distributed at

5. Sent to Committee on Calendars at

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote)
(Record Vote of yeas, nays,
present, not voting).

7. Motion to reconsider and table the vote by which H.B. was ordered
engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of yeas,
 nays, and present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed
to suspend) by a four-fifths vote of yeas, nays, and
present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote
of yeas, nays, present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. was finally passed
prevailed (failed) by a (Non-Record Vote) (Record Vote of yeas,
nays, and present, not voting).

12. Ordered Engrossed at

13. Engrossed.

14. Returned to Chief Clerk at

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read
first time.

20. Ordered not printed.

21. Regular order of business suspended by
(a viva voce vote.)
(yeas, nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules
suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION: OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments.)
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____